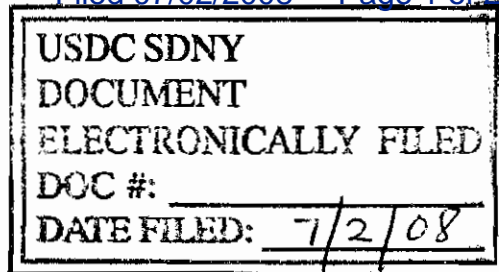


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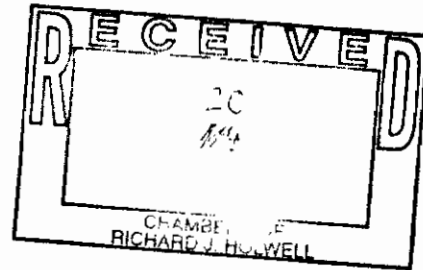


June 19, 2008

J. JOSEPH BAINTON
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bainton@baintonlaw.com

BY HAND

Hon. Richard J. Holwell
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1950
New York, NY 10007



Re: *Medici Classics Productions LLC v. Medici Group LLC, et al.*
1:07-cv-09938 (RJH)

Dear Judge Holwell:

We are the attorneys for the Plaintiff in the above-entitled action. I write for two reasons.

Interactive Websites

First, I want to correct an answer I gave to the Court this morning regarding the interactive websites of Defendants and to provide the Court with the one case we could find addressing whether a website "buy now" combined with a hyperlink is an interactive website subjecting the site owner to personal jurisdiction in New York. In *Roberts-Gordon, LLC, v. Superior Radiant Products, Ltd.*, 85 F. Supp 2d 202, 207, n. 2 (W.D.N.Y. 2000), Magistrate Judge Foschio found that the use of a "buy now" hyperlink did not preclude assertion of personal jurisdiction.

Second, my answer regarding the interactive nature of the four websites at issue was not precisely correct. The precise answers to Your Honor's question should have been:

www.medici.tv – pure Medici branded interactive website

www.mediciarts.co.uk – "Buy Now" hyperlink to www.mdt.co.uk

www.euroarts.com -- Distributor list identifying distributors by country and identifying Naxos of America as U.S. distributor

www.medicimedia.com – interactive links to Medici Arts and Euroarts websites.

Hon. Richard J. Holwell

June 19, 2008

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Leave To File Second Amended Complaint and Add Parties

Second, we write pursuant to Your Honor's Individual Practice Rule 3, A, to request a pre-motion conference for leave (a) pursuant to Federal Rule of Civil Procedure 15(a)(2) to file a second amended complaint and (b) pursuant to Rule 21 to join additional parties. The proposed Second Amended Complaint is enclosed.

It was suggested in Court this morning that possibly distributors such as Naxos of America Inc., MDT Mail Order and Amazon.com, Inc., were the "sellers" to New York residents of the alleged infringing recordings. The proposed Second Amended Complaint adds these parties as defendants. It also adds Educational Broadcasting Corporation. There is no dispute that all of these proposed additional defendants have made internet sales of allegedly infringing recordings and Educational Broadcasting Corporation has also sold allegedly infringing recordings at its store located within this district.

Our client had hoped that we would be able to get to the merits of this trademark infringement action more quickly. We believe it prudent to make certain that all parties that might be liable for infringement be before the Court at that time. Since it appears that Plaintiff is going to be put to the expense of Hague Convention compliance, we would appreciate any expedition that the Court might give this procedural matter. We cannot conceive of any prejudice to the existing parties.

With best regards, I am,

Respectfully yours,

J. Joseph Banton

Cc (w/encl.): Daniel J. Kornstein, Esq. (via facsimile)
Daniel J. Sparaco, Esq. (via e-mail)

Application for leave to
file a Second Amended
Complaint granted.

SO ORDERED

July 11
JSD
6/20/08